

EXHIBIT D



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Cincinnati Area Office

John W. Peck Fed. Bldg
550 Main Street, Suite 10019
Cincinnati, OH 45202
Intake Information Group: (800) 669-4000
Intake Information Group TTY: (800) 669-6820
Cincinnati Status Line: (866) 408-8075
Cincinnati Direct Dial: (513) 684-3967
TTY (513) 684-2074
FAX (513) 684-2361

Charge Number 473-2009-00857

Gregory Waldon
6452 Meadowvista
Cincinnati, Ohio 45224

Charging Party

and

Cincinnati Public Schools
2651 Burnet Avenue
Cincinnati, Ohio 45219

Respondent

DETERMINATION

Under the authority vested in me by the Commission, I issue the following determination as to the merits of the subject charge under Title VII of the Civil Rights Act of 1964, as amended. All requirements for coverage have been met.

The Charging Party alleged that he was discriminated against because of his race, Black, in that he was discharged due to the enactment of a discriminatory statutory provision by the Ohio Department of Education regarding criminal background checks. The Charging Party also alleged that Blacks as a class were discriminated against as a result of being discharged under the same circumstances.

The Respondent denies the allegations.

The Commission finds that the evidence substantiates that the Charging Party was discriminated against because of his race as alleged and that Blacks as a class were discriminated against.

Upon finding that there is reason to believe that a violation has occurred, the Commission attempts to eliminate the alleged unlawful practice by informal methods of conciliation. Therefore, the Commission now invites the parties to join with it in reaching a just resolution of this matter. The confidentiality provisions of Title VII and the Commission's Regulations apply to the information obtained during conciliation.

Charge Number 473-2008-00857

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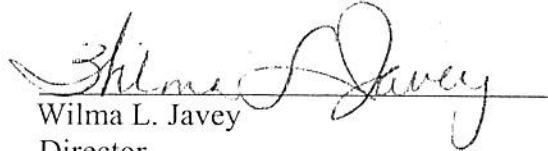
If the Respondent declines to discuss settlement or when, for any other reason, a settlement acceptable to the Office Director is not obtained, the Director will inform the Respondent of such and advise the Respondent of the court enforcement alternatives available to any aggrieved persons and the Commission

A Commission representative will contact each party in the near future to begin conciliation.

On Behalf of the Commission:

SEP 02 2009

Date

A handwritten signature in dark ink, appearing to read "Wilma L. Javey", is written over a horizontal line.

Wilma L. Javey
Director
Cincinnati Area Office



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Carol Landweher
Human Resources Director
Cincinnati Public Schools
2651 Burnett Avenue
Cincinnati, Ohio 45219

Re: Charge Number 473-2008-00857
Gregory Waldon vs. Cincinnati Public Schools

Dear Ms. Landweher:

The Commission has determined that efforts to conciliate this charge, as required by the statutes, have been unsuccessful. This letter is the notice required by Section 1601.25 of the Commission's Regulations, which provides that the Commission shall notify the Respondent in writing when it determines that further conciliation efforts would be futile or non-productive.

No further efforts to conciliate this case will be made. Accordingly, we are at this time referring this case to the U.S. Department of Justice (DOJ). The DOJ will then determine whether to bring a lawsuit in federal court.

NOV 24 2009

Date

On Behalf of the Commission:


Wilma L. Javey
Director, Cincinnati Area Office

cc: Daniel Hoying, Attorney



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Gregory Walden
6452 Meadowvista
Cincinnati, Ohio 45224

Re: Charge Number 473-2009-00857
Gregory Walden vs. Cincinnati Public Schools

Dear Mr. Waldon:

Your case has been referred to the U.S. Department of Justice (DOJ) for review to determine whether the DOJ will bring a lawsuit in Federal District Court against the above named Respondent.

If the DOJ brings a lawsuit, you may seek to intervene in such suit. If the DOJ does not bring a lawsuit based on your charge, they will notify you and issue a Notice of Right to Sue, which will entitle you to sue the Respondent under the statute.

NOV 24 2009

Date

On Behalf of the Commission:

A handwritten signature in dark ink, appearing to read "Wilma L. Javey", is written over a horizontal line.

Wilma L. Javey
Director, Cincinnati Area Office

cc: David Mann, Attorney